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Docket No.: **35053.007**
Date: **May 4, 2006**

In re application of **Mark E. Phillips et al.**
Application No.: **09/975,749**
Filed: **October 10, 2001**
For: **SYSTEM AND METHOD FOR DATA TRANSFER
OPTIMIZATION IN A PORTABLE AUDIO DEVICE**

MAIL STOP PETITIONS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Transmitted herewith is **an amendment** in the above-identified application.

☐ A Petition for an Extension of Time for one month is enclosed.

☒ No additional claim fee is required.

☒ The fee has been calculated as shown.

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--|---|-------|------------------------------|------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST PREV. PAID FOR | PRESENT EXTRA |
| TOTAL | * 10 | MINUS | ** 27 | |
| INDEP. | * 1 | MINUS | *** 4 | |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIMS | | | | |
| PETITION TO REVIVE | | | | |
| TOTAL ADDITIONAL FEE | | | | |

| SMALL ENTITY | |
|--------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 25 | \$ |
| x 100 | \$ |
| + 180 | \$ |
| | \$ 750 |
| | \$ 750 |

OR

OR

TOTAL

| OTHER THAN A SMALL ENTITY | |
|------------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 50 | \$ |
| x 200 | \$ |
| + 360 | \$ |
| | \$ |
| | \$ |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ Please charge my Deposit Account No. 50- in the amount of \$. A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ **750** is attached.

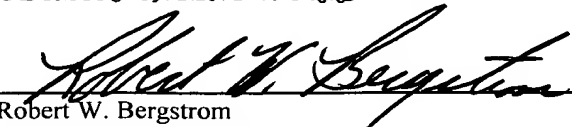
☒ The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-. A duplicate copy of this sheet is enclosed.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
Mark E. Phillips et al.

OLYMPIC PATENT WORKS ^{PH}LLC


Robert W. Bergstrom
Registration No. 39,906



PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to MAIL STOP AMENDMENT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5-4-06

Date

Joanne Bourguignon
Joanne Bourguignon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark E. Phillips et al.
Application No.: 09/975,749
Filed: October 10, 2001
Title: SYSTEM AND METHOD FOR DATA TRANSFER
OPTIMIZATION IN A PORTABLE AUDIO DEVICE

Examiner: Daniel R. Sellers

Art Unit: 2644

Docket No.: 35053.007 (new)

Date: May 4, 2006

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENTINTRODUCTORY COMMENTS

Sir:

In response to the Office Action dated April 26, 2005, please find enclosed a Petition to Revive and fee. Please amend the application as follows: